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Warsaw, 06.07.2007

The Honorable
Zbigniew Ziobro
Minister of Justice -
Attorney General of the Republic of Poland

Dear Minister,

The Helsinki Committee in Poland is deeply concerned by the manner of conducting the investigation at the Warsaw hospital of the Ministry of Interior and Administration (MSWiA) and the practice of seizing medical documentation of hundreds of patients by the Central Anticorruption Bureau (CBA) at the request of the public prosecution.

We would like to remind that the medical documentation data is considered as vulnerable data and is subject to particular legal protection. The Constitution of the Republic of Poland, as well as international human rights conventions, guarantee the protection of the right to privacy and clearly prohibit the authorities from collecting and using information about citizens, other than those which are actually indispensable in the democratic state of law.

Although protection of information about the patient's health, medical history, etc. is not absolute, deviations from it however are only exceptionally admissible and only when this is justified by irrefutable public interest in the case of each person. Interference with this type of data must be secured by very strict criteria and discipline and cannot exceed the minimum absolutely essential due to the clearly set objective of the investigation.

On behalf of the Helsinki Committee in Poland

Marek Antoni Nowicki